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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/501,035

02/09/2000

Shulong Li

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08/06/2012

Legal Department (M-495)  
P.O. Box 1926  
Spartanburg, SC 29304

EXAMINER

THOMPSON, CAMIE S

ART UNIT

PAPER NUMBER

1786

MAIL DATE

DELIVERY MODE

08/06/2012

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/501,035	<b>Applicant(s)</b> LI, SHULONG	
	<b>Examiner</b> CAMIE THOMPSON	<b>Art Unit</b> 1786	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 5/14/2012.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 20-22,25-29 and 31-36 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 20-22,25-29 and 31-36 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

### **DETAILED ACTION**

1. Applicant's amendment and accompanying remarks filed May 14, 2012 are acknowledged.
2. Examiner acknowledges amended claims 20-21, 25-27, 31 and 35.
3. Examiner acknowledges newly added claim 36.
4. The objection to claim 35 is overcome by applicant's amendment.
5. The rejection of claim 31 under 35 U.S.C. 112, second paragraph is overcome by applicant's amendment.
6. The rejection of claims 20-22, 25-29 and 31-35 under 35 U.S.C. 103(a) as being unpatentable over Kami et al., U.S. Patent Number 5,114,180 is withdrawn due to applicant's argument.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 20-22, 28-29, 31 and 34-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferziger et al., U.S. Patent Number 4,677,016.

Ferziger discloses a tightly woven fiberglass fabric substrate which is coated on at least one surface thereof with one or more layers of a foam coating composition (see abstract and column 2, lines 5-26). It is disclosed in column 3, lines 17-39 that the face coating (first layer) comprises a polymeric carrier such as polyvinyl chloride and acrylic polymer latexes. It is disclosed in

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column 2, lines 48-51 that the fabric is a Jacquard woven. The reference discloses that the face coating (first layer) is applied in the amount of 0.125 to about 1.0 ounces per square yard (see column 5, lines 33-38). Reference claim 3 discloses at least three (3) coating layers. Applicant's claims contain open language and would allow for more than two coating layers. Applicant's claim 20 is very broad as to the components comprising the first and second layers. Claim 20 is directed to the product. Claims 21-22 recite limitations that apply to a treatment of the product. Applicant claims a first layer that is closer to the fabric surface than the second layer and that the second layer does not comprise silicon. Ferziger discloses a Jacquard woven that has one or more coatings comprising a polymeric foam coating composition. None of the coatings in the reference comprise silicone. The Ferziger reference discloses a product with the same components as required by present claim 20. Therefore, it would be expected that the coated fabric of the Ferziger reference exhibit the same limitations as required in present claims 21-22. Additionally, Ferziger discloses an elastomeric coating system (polymeric latexes), which have a tensile strength of at least 600 psi.

It should be noted that the recitation of "side impact curtain airbag" is not given patentable weight at this time since the prior art meets the structural and/or chemical limitations set forth and there is nothing on record to evidence that the prior art could not function in the desired capacity or that there is some additional implied structure associated with the term. The burden is shifted upon the Applicant to evidence the contrary.

***Claim Rejections - 35 USC § 103***

9. Claims 25-27 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferziger et al., U.S. Patent Number 4,677,016 in view of Iino et al., U.S. Patent Number 6,142,520.

10. Ferziger discloses a tightly woven fiberglass fabric substrate which is coated on at least one surface thereof with one or more layers of a foam coating composition (see abstract and column 2, lines 5-26). It is disclosed in column 3, lines 17-39 that the face coating (first layer) comprises a polymeric carrier such as polyvinyl chloride and acrylic polymer latexes. It is disclosed in column 2, lines 48-51 that the fabric is a Jacquard woven. The reference discloses that the face coating (first layer) is applied in the amount of 0.125 to about 1.0 ounces per square yard (see column 5, lines 33-38). Reference claim 3 discloses at least three (3) coating layers. Applicant's claims contain open language and would allow for more than two coating layers. Applicant's claim 20 is very broad as to the components comprising the first and second layers. Claim 20 is directed to the product. Claims 21-22 recite limitations that apply to a treatment of the product. Applicant claims a first layer that is closer to the fabric surface than the second layer and that the second layer does not comprise silicon. Ferziger discloses a Jacquard woven that has one or more coatings comprising a polymeric foam coating composition. None of the coatings in the reference comprise silicone. The Ferziger reference discloses a product with the same components as required by present claim 20. It should be noted that the recitation of "side impact curtain airbag" is not given patentable weight at this time since the prior art meets the structural and/or chemical limitations set forth and there is nothing on record to evidence that the prior art could not function in the desired capacity or that there is some additional implied

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structure associated with the term. The burden is shifted upon the Applicant to evidence the contrary.

Ferziger does not disclose that the first layer comprises polyurethane. Ferziger discloses that the face coating comprises a foam composition comprised of polyvinyl chloride or acrylic polymer latexes. Iino discloses a pair of laminated films adhered to a woven fabric. Iino discloses an elastomer layer formed of polyurethane and a shape holding layer comprising made from polycarbonate, polyamide, polyester or polyimide. Figure 7 of the Iino reference illustrates that the polyurethane layer is one the woven fabric surface. Iino discloses that when a thermoplastic elastomer such as polyurethane is selected that impact shock can be mitigated and the strength between the layers is increased with resistance to penetration (see Iino: column 6, lines 38-42). Therefore, it would have been obvious to one of ordinary skill in the art to have the first layer of the Ferziger reference be a polyurethane layer in order to have increased strength between the first and second layers.

### ***Response to Arguments***

11. Applicant's arguments with respect to the present claims have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAMIE THOMPSON whose telephone number is (571)272-1530. The examiner can normally be reached on Monday-Friday 8:00 am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer Chriss can be reached on 571-272-7783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CAMIE THOMPSON/  
Examiner, Art Unit 1786